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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MERRILL LYNCH BUSINESS
FINANCIAL SERVICES INC.,

Plaintiff,

vs.

ARTHUR KUPPERMAN; E. ROSS
BROWNE; PAULETTE KRELMAN,
PGB INTERNATIONAL, LLC; and JP
MORGAN CHASE BANK, NATIONAL
ASSOCIATION,

Defendants.

06 Civ. 4802 (DMC)

**FINAL PARTIAL SUMMARY
JUDGMENT AND CERTIFICATION
OF FINALITY**

THIS MATTER, having been presented to the Court by Plaintiff Merrill Lynch Business Financial Services Inc. ("MLBFS"), on motion for summary judgment against Defendants Arthur Kupperman, E. Ross Browne, and Paulette Krelman on the Fourth Count of the Verified Complaint, due and adequate notice having been given, the Court having considered the papers and arguments presented for and in opposition to the motion, there being no genuine issue of material fact, and Plaintiff being entitled to judgment as a matter of law, and this Court expressly determining that there is no just reason for delay, and on this Court's express direction for the entry of judgment, and good cause having been shown,

IT IS on this day of , 2006

ORDERED, ADJUDGED, and DECREED as follows:

1. Plaintiff's motion is hereby granted.
2. Summary judgment is hereby granted to Plaintiff Merrill Lynch Business Financial Services Inc. and against Defendants Arthur Kupperman, E. Ross Browne, and Paulette Krelman on the Fourth Count of the Verified Complaint.
3. Judgment is hereby entered in favor of Plaintiff Merrill Lynch Business Financial Services Inc. against Defendants Arthur Kupperman, E. Ross Browne, and Paulette Krelman, jointly and severally, in the amount of \$4,179,059.54, together with post-judgment interest on the unpaid principal amount¹ from and after October 30, 2006, which interest shall accrue at the contract rate of LIBOR plus 3.15%, and costs to be taxed. In addition, Plaintiff may have added to the Judgment, by application to the Court from time to time, Plaintiff's reasonable costs of collection, including court costs and reasonable attorneys' fees and expenses.
4. Pursuant to Fed. R. Civ. P. 54(b), the Clerk is expressly directed to enter this Judgment as a Final Judgment upon which execution may be had. This Court finds that there is no just reason for delay, as Defendants Kupperman, Browne, and Krelman are indebted to Plaintiff pursuant to their Unconditional Guaranties of the obligations of PITTRA G.B. International, Inc., and Plaintiff should not have to wait to pursue collection.
5. The attachments and restraints previously imposed by this Court shall remain in full force and effect as an aid to Plaintiff in the collection of this Judgment.

Hon. Dennis M. Cavanaugh, U.S.D.J.

¹ As of October 30, 2006, the total unpaid principal amount was \$3,952,711.08.